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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/565,092	04/05/2007	Shitong Yang	291903-1010	9035
24504 7590 10/31/2008 THOMAS, KAYDEN, HORSTEMEYER & RISLEY, LLP 600 GALLERIA PARKWAY, S.E. STE 1500 ATLANTA, GA 30339-5994				
EXAMINER				
NGUYEN, TAI V				
ART UNIT		PAPER NUMBER		
3729				
MAIL DATE		DELIVERY MODE		
10/31/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/565,092

**Applicant(s)**

YANG ET AL.

**Examiner**

TAI NGUYEN

**Art Unit**

3729

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) 5-14 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3 and 4 is/are rejected.
- 7) ☒ Claim(s) 2 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

**DETAILED ACTION**

***Response to Amendment***

1. In regards to the merits of Kurogi et al (US 5,396,969), in view of Nuttall et al (US 4,743,331) and further in view of Yang (US 6,737,603) in the previous Office Action (Non Final Rejection filed 3/11/2008) the applicants' argument that Kurogi does not teach the features of the coil winder, a locator of inductor, the locator of inductor being located under welding head of the spot electric welder have been found to be persuasive.

Accordingly, the previous Non Final Rejection has been withdrawn.

***Election/Restrictions***

2. This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

Species I, claims 1-4; and

Species II, claims 5-14.

Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

The claims are deemed to correspond to the species listed above in the following manner:

Species I, require an apparatus for producing an electronic inductor comprising a coil winder, a locator of inductor, and a spot electric welder, the locator of inductor being located under a welding head of the spot electric weld and a jig of the welding head, which is lacking in Species II.

Species II, require brushless DC motor having a connecting pole rotatable around an axis thereof; a locator compliantly set around the connecting pole of the DC motor and capable of rotating along with the connecting pole, the locator defining a recess in a middle thereof for detachably holding the electronic inductor therein, which is lacking in Species I.

The following claim(s) are generic: there are no generic claims.

The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: set forth above.

3. Newly submitted claims 5-14 are directed to an invention that is independent or distinct from the invention originally claimed for the reasons set forth above.

Since applicant has received an action on the merits for the originally presented invention (i. e. Species I), this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 5-14 have been withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamaguchi Shigetoshi (JP 2001-095201) in view of Engmann et al (US 4,483,490) and further in view of Yang (US 6,373,603).

As applied to claim 1, Yamaguchi Shigetoshi disclose an apparatus for producing an electronic inductor comprising: a armature winding (e. g. 24C), a locator of inductor as armature (e. g. 32) and a spot electric welder as read as cylindrical electrode (e. g. 60) , the locator of inductor being located under a welding head of the spot electric weld (see Fig. 3) and a jig as housing (e. g. 80) of the welding head, the locator of inductor connecting with a brush DC motor (e. g. 20) via a connecting pole, the brushless DC motor connecting with single chip as module (e. g. 35).

However, Yamaguchi Shigetoshi does not teach a coil winder connected with a motor.

Engmann teach a coil winder (e. g. 1) was connected with a motor (e. g. 60).

It would have been obvious to one of ordinary skill in the art at this time the invention was made to have modified the method of Yamaguchi Shigetoshi by including a coil winder, as taught by Engmann, to positively provide a coil winder in which both winding ends of completed wire coil and sufficiently can be weld to other ends (col. 1, lines 24-26).

Yang, teach a digital display screen (e. g. 48).

It would have been obvious to one of ordinary skill in the art at this time the invention was made to have modified the method of Yamaguchi Shigetoshi by including a digital display screen, as taught by Yang, to positively provide a welding quickly and reliably (col. 1, lines 43-44).

As applied to claim 3, Yang discloses the spot electric welder is a welder that can weld enameled wires directly (col. 3, lines 52-59).

As applied to claim 4, Yang discloses a camera CCD (e.g. 5) is added to the front of the apparatus (see fig. 1).

#### ***Allowable Subject Matter***

6. Claim 2 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Response to Arguments***

7. Applicant's arguments with respect to claims 1-4 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to TAI NGUYEN whose telephone number is (571)272-4567. The examiner can normally be reached on M-F (7:30 A.M - 4:30 P.M).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on 571-272-4690. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

September 4, 2008

TN.

/DAVID P. BRYANT/

Supervisory Patent Examiner, Art Unit 3726